

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

TYRONE HENDERSON, *et al.*

Plaintiffs,

v.

Civil Action No. 3:12cv97 (REP)

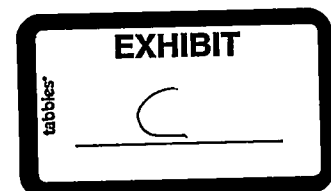
CORELOGIC NATIONAL BACKGROUND DATA, LLC

Defendant.

DECLARATION OF JOSEPH DAVIDSON

I, Joseph Davidson, pursuant to 28 U.S.C. § 1746, declare and swear as follows:

1. I am over the age of 18 and competent to give this Declaration. I am employed by CoreLogic SafeRent, LLC ("SafeRent"), where I am Senior Director - Data Operations.
2. SafeRent is a wholly-owned subsidiary of CoreLogic, Inc.
3. In my capacity as Senior Director – Data Operations, I oversee the process by which SafeRent receives and stores public-record criminal information data from its various sources. I oversee the quality-control processes undertaken with respect to that data. I also supervise the employees of SafeRent who are responsible for such processes.
4. I have personal knowledge of the working relationship between SafeRent and CoreLogic National Background Data, LLC ("NBD"), including the processes by which NBD's customers may gain electronic access to the data stored by SafeRent, as well as the criteria that NBD's customers can use to gain access to that public-record data. I also have personal knowledge of databases that are used to store the criminal record information obtained by SafeRent and that is returned by NBD to its customers, as well as the records that are maintained by SafeRent reflecting the substance of the results that were returned by NBD in response to those customer queries.



5. The facts set forth herein are based upon my personal knowledge and review of the records of NBD, and if I were called upon to testify to them, I could and would competently do so.

6. NBD supplies criminal record data from more than 300 governmental sources, which records are regularly updated by those same sources.

[REDACTED]

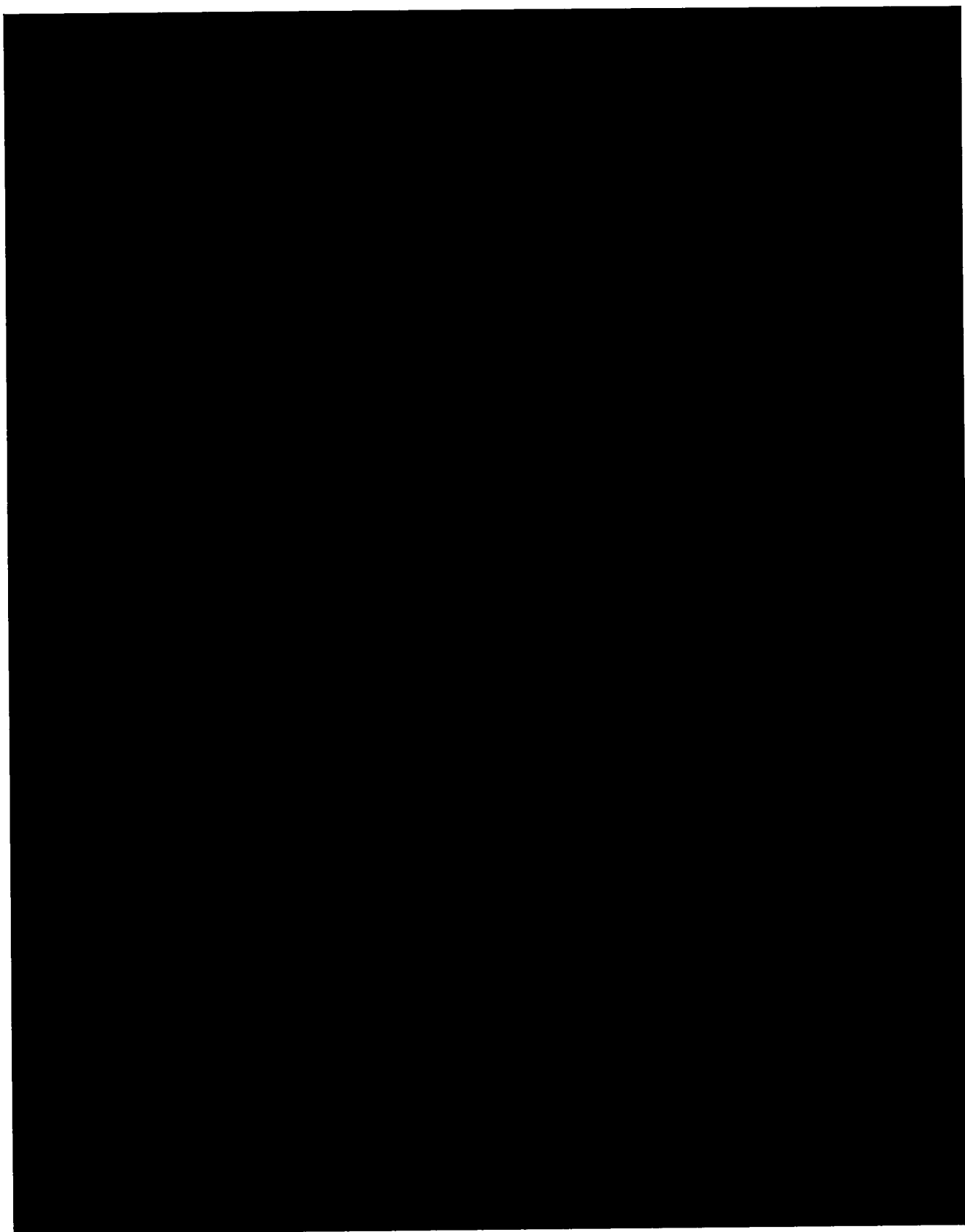
8. NBD supplies government criminal records from a database referred to as the "Multistate Database." The Multistate Database and the associated computer system are owned and managed by SafeRent. [REDACTED]

[REDACTED]

9. The records housed in the Multistate Database are continually updated. SafeRent receives from its sources approximately 300 separate sets of updates of data each month, at which time existing records in the Multistate Database are amended or replaced to the extent necessary.

10. Certain of this information is updated as often as every day. The great majority of this information (approximately 85%) is updated no less than weekly or monthly, with further variation by the individual source in question. The data from Virginia's Administrative Office of the Courts are updated monthly, data from North Carolina's Administrative Office of the Courts are updated daily, and data from the San Diego Superior Court Index and the Pennsylvania court system are updated weekly.

11. SafeRent does not alter the data received from its sources, and it is placed into the Multistate Database using the exact text supplied.



19. These quality-control processes were repeated with respect to the data that was transmitted by NBD to ADP Screening and Selection Services, Inc. (“ADP”), Verifications, Inc. (“Verifications”) and HR Plus, Inc. (“HR Plus”) in response to their queries.

20. NBD does not know the identity of the consumer of interest to NBD’s CRA customers. NBD permits its customers to access public record information, and those customers select the criteria by which they desire to gather information from the Multistate Database, which allow searches based (at a minimum) on variations of the consumer’s first name, last name, and date of birth. Once search criteria are submitted, NBD returns all of the records in the Multistate Database that are responsive to that search query.

21. Certain information is not made known to NBD by its customers as part of the search query process, nor is such information contained in SafeRent’s records.

22. NBD requires that its customers certify that they have an “employment purpose” for seeking criminal record information. However, NBD is not informed of the specific employment purpose behind the request, such as whether the background screening is for the purpose of evaluating a prospective employee, or rather for an employment purpose relative to a current employee (*e.g.*, retention, promotion, evaluation, licensure, etc.).

23. For criminal record searches, NBD is not made aware of the state in which the consumer in question is seeking employment.

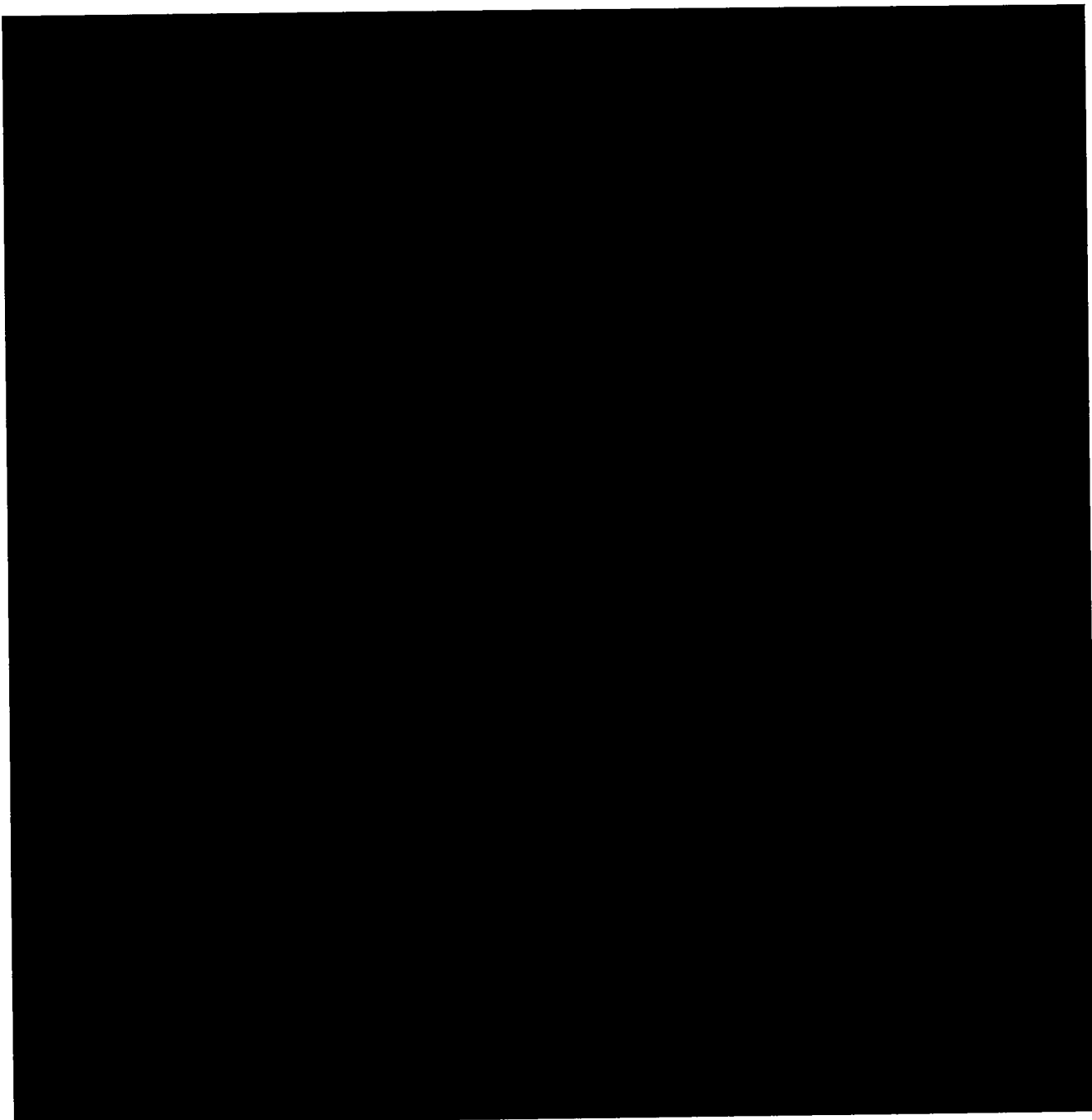
24. NBD is not made aware of the credentials or employment qualifications of the consumer that is the subject of the customer’s query.

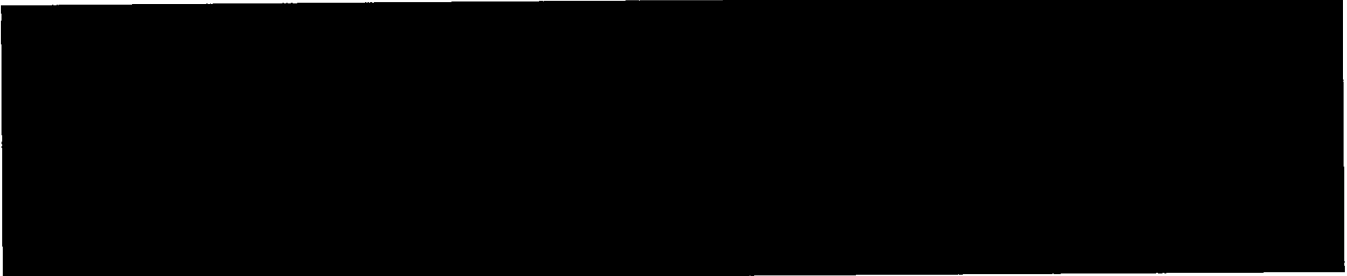
25. NBD is not made aware of the type of employment position sought and/or currently held by the consumer that is the subject of its customer’s query.

26. NBD is not made aware of what information is ultimately transmitted by its customers to the employer.

27. NBD is not made aware of the criteria used by the employer(s) to assess the import of any criminal records returned.

28. Because NBD does not alter the data it receives from its over 300 sources of criminal record data, which themselves report offenses and dispositions in different ways, NBD returns a wide variety of types of data to its customers in a consistently non-uniform way.





33. The ages of the records in the Multistate Database vary greatly.

34. It is SafeRent's policy and practice to always request that its sources of criminal record information provide SafeRent with any Social Security numbers that have been included within any criminal file. Pursuant to that standard policy, SafeRent has been able to secure the transmission of full or partial Social Security numbers only from a certain number of its sources.

35. The great majority of SafeRent's sources do not make available the Social Security number of the offender as a part of the information that is made public and thereafter sent to SafeRent. This policy exists relative to records sent to SafeRent electronically, as well as to records that SafeRent's employees physically retrieve from courthouses, including in locations such as Massachusetts.

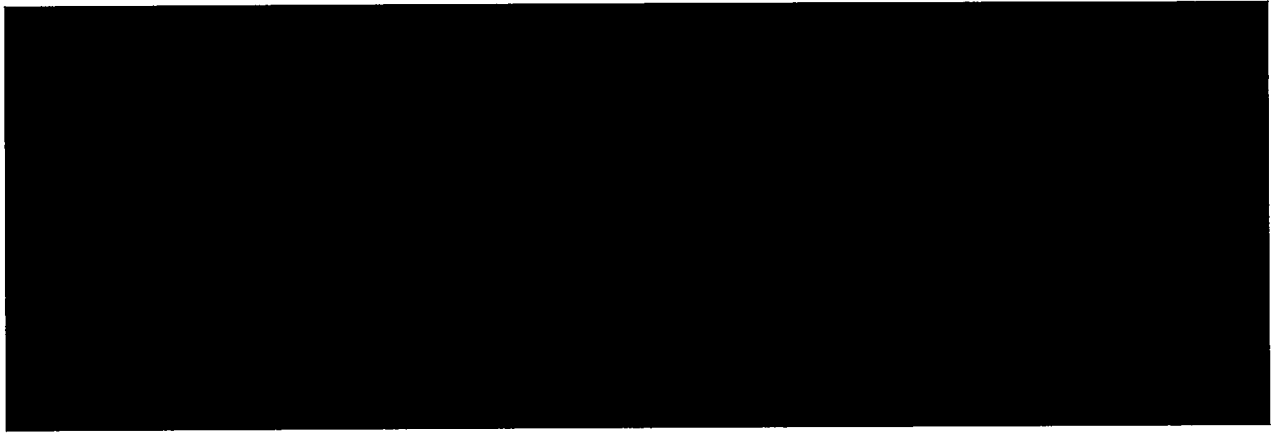
36. Whenever SafeRent is able to procure a Social Security number, that information is entered into the Multistate Database and linked to the relevant record.

37. When NBD's customers submit a search query using any of NBD's search "logics," NBD always returns all records from the Multistate Database responsive to that specific search query, along with any Social Security numbers included within the responsive record(s).

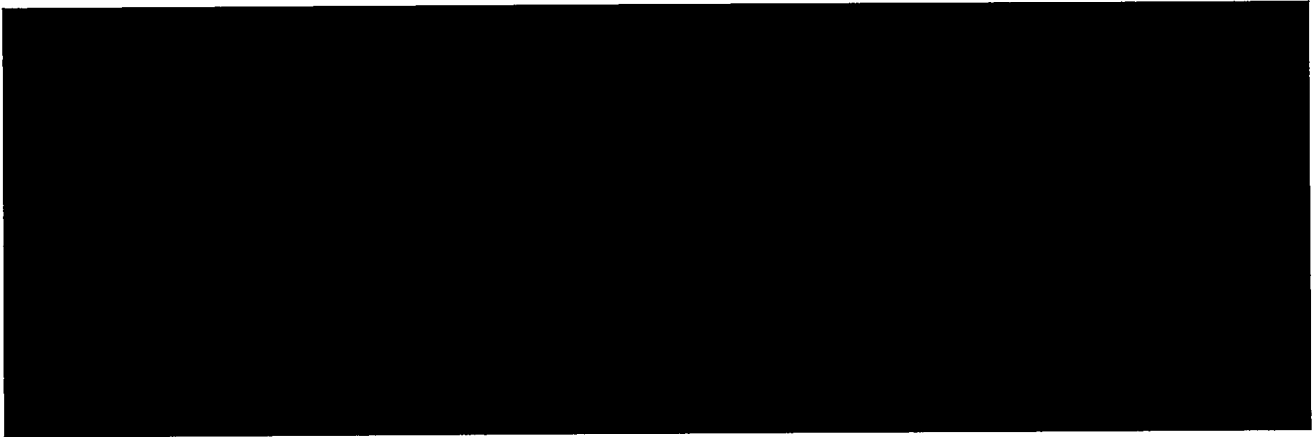
38. When provided by its sources, NBD often only receives truncated SSNs. In all instances, however, NBD returns truncated SSNs consisting of the last four digits of the number.

39. If the Multistate Database contains a record is associated with a Social Security number, a populated value appears in a designated field – labeled "SSN" – for the results that are returned to NBD's customer. And, if no Social Security number is associated with any of the

records that are responsive to the customer's query, as occurred with respect to the search queries challenged by Plaintiffs, no "SSN" field will be present on the results returned.



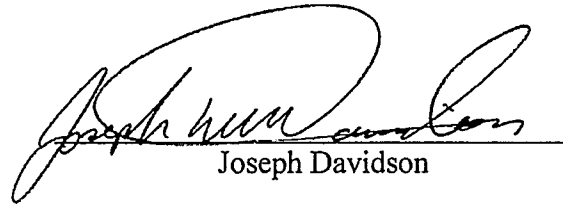
41. No Social Security number appeared in the results that were returned by NBD to ADP because none of the responsive records contained a Social Security Number. If any such records containing a Social Security Number had been responsive to that search query, then a value would have appeared for that data point within a field labeled "SSN."



43. No Social Security number appeared in the results that were returned by NBD to Verifications because none of the responsive records contained a Social Security Number. If any such records containing a Social Security Number had been responsive to that search query, then a value would have appeared for that data point within a field labeled "SSN."

44. I am voluntarily making this declaration of my own free will. I declare under penalty of perjury that the foregoing is true.

DATED: February 10, 2014



Joseph Davidson

EXHIBIT 1 – FILED UNDER SEAL

EXHIBIT 2 – FILED UNDER SEAL